

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBILEMEDIA IDEAS LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 10-258 (SLR) (MPT)
)	
APPLE INC.,)	
)	
Defendant.)	

**STIPULATED DISMISSAL OF CLAIMS AND COUNTERCLAIMS WITH RESPECT
TO U.S. PATENT NOS. 6,446,080; 6,760,477; 7,349,012; 5,915,239; AND 5,490,170**

WHEREAS, Plaintiff MobileMedia Ideas, LLC (“MMI”) and Defendant Apple Inc. (“Apple”) have agreed to dismiss the claims and counterclaims related to U.S. Patent Nos. 6,446,080 (the “’080 Patent”); 6,760,477 (the “’477 Patent”); 7,349,012 (the “’012 Patent”); 5,915,239 (the “’239 Patent”); and 5,490,170 (the “’170 Patent”) from this action;

IT IS HEREBY STIPULATED by the parties, subject to approval of the Court, that:

1. The Ninth Cause of Action (Infringement of the ’080 patent) in MMI’s Amended Complaint (D.I. 8) is dismissed with prejudice;
2. The Eleventh Cause of Action (Infringement of the ’477 patent) in MMI’s Amended Complaint (D.I. 8) is dismissed with prejudice;
3. The Thirteenth Cause of Action (Infringement of the ’012 patent) in MMI’s Amended Complaint (D.I. 8) is dismissed with prejudice;
4. The Fourteenth Cause of Action (Infringement of the ’239 patent) in MMI’s Amended Complaint (D.I. 8) is dismissed with prejudice;
5. The Sixteenth Cause of Action (Infringement of the ’170 patent) in MMI’s Amended Complaint (D.I. 8) is dismissed with prejudice;

6. The Ninth Counterclaim for Relief (Non-infringement of the '080 patent) in Apple's First Amended Answer to Complaint and Counterclaims (D.I. 50) is dismissed with prejudice;

7. The Eleventh Counterclaim for Relief (Non-infringement of the '477 patent) in Apple's First Amended Answer to Complaint and Counterclaims (D.I. 50) is dismissed with prejudice;

8. The Thirteenth Counterclaim for Relief (Non-infringement of the '012 patent) in Apple's First Amended Answer to Complaint and Counterclaims (D.I. 50) is dismissed with prejudice;

9. The Fourteenth Counterclaim for Relief (Non-infringement of the '239 patent) in Apple's First Amended Answer to Complaint and Counterclaims (D.I. 50) is dismissed with prejudice;

10. The Sixteenth Counterclaim for Relief (Non-infringement of the '170 patent) in Apple's First Amended Answer to Complaint and Counterclaims (D.I. 50) is dismissed with prejudice;

11. This Stipulated Dismissal shall have no effect on any other claims, counterclaims, or defenses; and

12. Each party shall bear its own costs, expenses, and attorneys' fees associated with the claims and counterclaims dismissed by this Stipulated Dismissal.

Dated: December 4, 2015

MORRIS, NICHOLS, ARSHT & TUNNELL
LLP

/s/ Jeremy A. Tigan

Jack B. Blumenfeld (#1014)
Rodger D. Smith II (#3778)
Jeremy A. Tigan (#5239)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
rsmith@mnat.com
jtigan@mnat.com

PROSKAUER ROSE LLP

Steven M. Bauer
Justin J. Daniels
Safraz W. Ishmael
One International Place
Boston, MA 02110-2600
(617) 526-9600

Kenneth Rubenstein
Anthony C. Coles
Eleven Times Square
New York, NY 10036

Attorneys for Plaintiff MobileMedia Ideas LLC

MORRIS JAMES LLP

/s/ Mary B. Matterer

Richard K. Herrmann (No. 405)
Mary B. Matterer (No. 2696)
500 Delaware Avenue, Suite 1500
Wilmington, Delaware 19801-1494
(302) 888-6800
rherrmann@morrisjames.com
mmatterer@morrisjames.com

O'MELVENY & MYERS LLP

George A. Riley
Luann L. Simmons
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111-3823
(415) 984-8700
griley@omm.com
lsimmons@omm.com

Attorneys for Defendant Apple Inc.

SO ORDERED this ____ day of _____, 2015.

United States District Judge